

HOLDEN
PROGRESS
DECEMBER 11, 1986

Atty. General Says Company Polluted Creek

State Files Lawsuit Against PCB Firm

Missouri Attorney General William C. Webster filed suit against Martha C. Rose Chemicals, Inc., in Johnson County Circuit Court last Wednesday alleging that the company polluted a stream near Holden with PCBs.

The lawsuit also charges that the company's president, Walter C. Carolan, has transferred the assets of Rose Chemicals among several other companies that he owns in a way that violates Missouri corporate law.

As a result, Walter C. Carolan and three other companies to which he might have transferred Rose Chemical's assets were also named as defendants in the suit. The three companies owned and operated by Carolan are American Steel Works,

Inc., W. C. Carolan, Co., Inc., and Dust Suppression Systems, Inc.

Although the company had permits from the EPA to process and dispose of PCBs, the petition alleges that this processing went beyond the scope of its Missouri charter. Also the petition alleges that Rose Chemicals discharged contaminants without the proper state permit as required by the Clean Water Law and more importantly that this discharge resulted in the contamination of state waters.

According to the petition, the Missouri Department of Natural Resources received on May 16 a complaint about a possible leak at the Rose Chemicals plant. A DNR investigation of this complaint led to the discovery of a tank trailer that had been leaking contaminated waste oils.

The oil, contaminated with PCBs, was continuing to make its way into a nearby stream, which empties into Pin Oak Creek, a tributary to the Blackwater River.

The petition states that a former employee of Rose chemicals told investigators that the spill had occurred on May 14, 1986. This spill evidently occurred directly over a manhole that drained through a sewer into the nearby stream. Samples were taken at various points along the suspected spill route and along the stream and were found to contain PCBs.

Attorney General Webster requests an order for preliminary and permanent injunctions to force the defendants to secure all PCB contaminants at the Holden site, as well as to remove all tanks, trucks and other vessels, which are contaminated and still at the plant. The petition also asks the court to impose penalties of \$10,000 for each day there is a violation of Missouri's Clean Water Law and to award actual damages by holding the companies responsible for costs and expenses to restore the stream and other contaminated waters to their original condition.

PCBs were banned in 1977 by the EPA after studies linked them to skin and liver disease, birth defects and cancer. The heat resistant compounds were used principally in coolant oil for transformers, capacitors, and other electrical equipment. PCBs fall under regulations of the federal Toxic Substance Control Act.

In March of 1982, the EPA gave Rose Chemical approval to process and dispose of PCBs at its plant in Holden and later gave further approval for the company to decontaminate electric capacitors and transformers.

Rose Chemicals ceased operations on Feb. 28, 1986, and is currently going through bankruptcy proceedings. But twice during its operation, the EPA cited the company for violations of federal regulations, once in March, 1984, and again in February, 1985.

This summer, the EPA revoked several permits issued to Rose Chemicals for its failure to correct and prevent violations of federal regulations at the plant.

The EPA is working to contain and dispose of all PCBs and contaminated materials at the Holden site.

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Vol. 1 No. 20

Gettin' Started

Loveall named Worshipful Master

David Loveall was installed as Worshipful Master of the Holden Masonic Lodge at a dinner held Saturday night in Holden.

Other new officers are: Wablee Brown, senior warder; David Garrison, senior deacon; Jack Wharto; George Cast; Hugh Sperry; Wayne Meads, junior; Rod Hurt, senior; Vern Sexson, junior; steward and Charles Roberts tyler.

Fender receives honor

James H. Fender, Kingsville, Hallar Community Building, was named Johnson County Soil Conservation Farmer of the Year at the district's annual dinner held last Tuesday at the

The award was presented by District Chairman Jim Allgood. Next year's meeting will be held in Leeton.

Attorney General files suit

According to Mayor Francis Brillhart, Attorney General William Webster has filed suit against Rose Chemical Company for allegedly polluting the Pin Oak Creek with PCB's.

The attorney General's office is attempting to have all contaminated tanks, trucks and other vessels removed from the

site.

The suit also asks for \$10,000. in penalties per day for violation of the Missouri Clean Water Act.

Other companies of Carolan's named in the suit were American Steel Works, Inc. W.C. Carolan Co. Inc. and Dust Suppression, Inc.

Christmas parade Saturday

The Holden Chamber of Commerce invites you to step back in time and enjoy an old-fashioned Christmas this Saturday as a number of events are planned for the entire family.

Highlighting the day will be the Christmas parade which will begin at 10:00 a.m. The parade route starts at NAPA Auto Parts on Fourth

Third Street before returning to its origination. A large number of floats as well as the high school band and chorus will participate.

The Santa house located in the Bank of Holden Parking lot will open immediately after the parade and free buggy rides provided by Clark Scrutchfield.

Tom Lysinger, Ronnie Wheeler